

Ct. 5 05.03.2026
JPD
Item No.18 Alope

In The High Court At Calcutta
In The Circuit Bench at Jalpaiguri
Appellate Side

WPA 336 of 2026

Satish Das
Vs.
The State of West Bengal & Ors.

Mr. Subhasish Misra
Mr. Satyajit Paul
Mr. Rounak Ghosh
..for the petitioner

Mr. Joyjit Choudhury, ld. AAG
Mr. Pradip Sarkar
... for the State

Mr. Ajoy Kr. Singhania
... for the respondent/
Railway authorities

1. Affidavit-of-service filed be kept with the record.
2. The writ application has been preferred praying for direction upon the respondent nos. 4 and 5 to comply with the letter dated 03.04.2025 issued by the respondent Special Land Acquisition Officer, Coochbehar intimating the respondent Divisional Railway Manager, North East Frontier Railway, Alipurduar junction, to release the sanctioned fund/amount as per the calculation prepared in connection with the land acquired for the purpose of construction of Railway track from new Moynaguri to Jhogighoipa (New B.G. Line

railway track), pertaining to LAP Case No. 10 of 2008/2009 in connection with the specific direction given in the reasoned order dated 24.05.2023 passed by the District Magistrate & Collector, Coochbehar for compensating the petitioner, covering under section(s) 26/27/28/29 and 30 of the Right to Fair Compensation and Transparency and Resettlement Act, 2013 and to take necessary action thereof.

3. Learned AAG has placed a report submitted by the Special Land Acquisition Officer, Coochbehar, wherein it has been stated as follows :

“In terms of the above orders, the Spl. LAO, Cooch Behar assessed the amount of compensation to the petitioner under the provision of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and sent a letter on 03.04.2025 to the Divisional Railway Manager, North East Frontier Railway, Alipurduar Junction with a request to release the sanctioned fund/amount as per the calculation prepared in connection with the land acquired for the purpose of construction of Railway track from new Moynaguri to Jhogighopa (New B.G. Line Railway Track) pertaining to LAP case 10 of 2008/2009. But till date, the Railway Authority have not allot the funds amounting to Rs.29,38,00,710.00 (Twenty Nine Crore Thirty Eight Lakh Seven Hundred Ten) only. Hence, the office of the Spl. LAO, Cooch Behar is unable to disburse the

amount of compensation to all the land losers including the instant petitioner.”

4. It appears that the Special Land Acquisition Officer, Cooch Behar who is the respondent no. 6 herein, vide a memo dated 03.04.2025 has also made a requisition to the respondent no. 5 for payment of compensation to the land owners in LAP Case No. 10 of 2008/2009.

5. The petitioner submits that he is one of those land owners who prays for implementation of this order.

6. On hearing the learned counsels appearing for the parties, the writ application is disposed of with the direction that the respondent no. 5 shall take a decision in respect of the said requisition dated 03.04.2025, within 30 days from the date of communication of this order, in accordance with law.

7. **Writ application stands disposed of.**

8. As no affidavits have been called for the allegations contained in the writ application are not admitted.

9. Connected application, if any, stands disposed of.

10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)